INSTRUCTIONS TO PREPARE A CUSTODY OR VISITATION ACTION

This packet was prepared for your convenience in filing a petition for Custody or Visitation. Please review the attached documents and <u>conduct any research necessary</u> to answer all questions. <u>Be sure you have the correct paperwork with your packet</u> and request any additional forms from the clerk's office or print them off the <u>www.juvgnile-court.org</u> web site. (Local Rules are also available)

Use <u>BLACK</u> ink and <u>TYPE OR NEATLY PRINT</u> your answers and make sure to answer all questions <u>completely</u> and <u>accurately</u>. Please do not leave any question unanswered. Pencil and light colored inks are not acceptable due to the requirements of document scanning.

- 1. <u>Custody Petition</u>, (Form 580, Parent or Non-Parent) & (<u>Visitation Petition</u>) (Form 585), is simply a sworn request of the Hamilton County Juvenile Court to grant temporary legal custody or parenting rights to the petitioner. <u>Motions</u> are applicable when a modification action is filed on an existing case. The petition form, (<u>Form 580 or 585</u>) must be completed and <u>NOTARIZED</u>. The term at the top of the form, "<u>In Re</u>", refers to the name of the child or children. The Clerk will assign a case number, unless a previous <u>Custody</u>, <u>Visitation</u>. <u>Dependency</u> case number exists and can be used for your filing.
- 2. The <u>Child Custody Affidavit</u>, (<u>Form 551</u>), must be answered **completely** and **accurately** and must be <u>NOTARIZED</u>. The same procedure outlined above is used with respect to the term "<u>In Re</u>" and the <u>Case Number</u>. Complete whatever research is needed to accurately answer all questions.
- 3. A <u>Party Information Sheet</u>, (<u>Form 536</u>), requires some research to accurately answer all questions but accuracy and detail are important in order to properly process the petition packet.
- 4. <u>Instructions To Clerk.</u> (<u>Form 755</u>), requires the child's or children's names at the top "<u>In Re;</u>" and the <u>Case Number</u> if known. The petitioner(s) insert the current <u>Date</u> and <u>Type or Print</u> their names followed by the respective "<u>Signature</u> (s)".
- Service Request, (Form 1397), is used to request Notification or Service of Process to any and all persons or parties to this action so they may be present at the scheduled hearing. This is one of the most important parts of the process. Your Failure to properly identify and notify any or all of the interested parties may result in delays and possibly additional expense. These parties should include but are not limited to the biological parents and current custodians of the child or children. Review the Instructions for Service Sheet for assistance in determining the type of service you may need. The term "In Re;" refers to the name of the child or children. Complete the Case Number if known. The "Case Type" will be "Custody" or "Visitation", and the reason for the hearing is "Pre Trial". Select the "Type of Form", (Summons, Subpoena or Notice) and list your selection in the first column. Decide on the best way or ways to notify each party "Type of Service", (Regular Mail, Certified Mail (Usual Method), Personal Service, Residential Service or as a last resort, Publication as this requires additional expense). List your selection in the center column and carefully type or print the person's name and accurate address including zip code in the third column. If more than one "Type of Service" is desired, complete the process on the next line changing only the center column or address. Publication (Form 15) is a required means of notification when all other options have failed and involves additional cost.
- The <u>HCDJFS Questionnaire</u>. (<u>Form 1284</u>) is explained at the top of the form and needs to be completed accurately and in detail down to the point that indicates "For Official Use Only by HCDJFS". Be sure to list all children in the home, to include those being considered. Also list yourself and all adults in the home or who may be in regular contact with the child.
- 7. An "<u>Authorization to Release Information</u>" (<u>Form 1270</u>) is the document to be completed for release of information from the HCDJFS and must not be confused with the "Personal Information Release Form" used by the Hamilton County Sheriff's Department. The petitioner (s) need to complete this form with the current date and their "Signatures" in the presence of a Witness or a Notary Public. Court Personnel <u>will not</u> witness this. A separate form must be used for each petitioner.
- 8. After all documents are completed neatly and accurately, notarized or witnessed appropriately, bring the packet to a Deputy Clerk in the Clerk's Office of the Hamilton County Juvenile Court located at 800 Broadway Cincinnati, Ohio 45202. Make sure you have attached other documents required by Hamilton County Juvenile Court in accordance with Local Rules. Refer to the checklist cover document.
- 9. Fiting fees must be posted at the time of filing by: Cash, Cheek, Money Order, VISA or Master Card. A filing fee is not required if the filing is to be heard on an existing court date for this case.

 The Filing Fee for Custody and Visitation is \$150.00.

The Cost for Service by Publication is \$100.00

10. In the event a petitioner is indigent, a Motion or Affidavit (Form 581) may be filed asking the court to waive the filing fee and absorb the cost of the action. Proof of qualifications must be included and the motion will be granted or denied.

Questions concerning these instructions may be addressed to a Deputy Clerk at 513-946-9433, 9434, 9435 or 946-9436. All legal questions should be addressed by an attorney and cannot be answered by Court Staff.

INSTRUCTIONS AND INFORMATION FOR WRITTEN REQUESTS FOR SERVICE

One of the most important procedures which takes place at the onset of any legal action is the service of process. Unless service is quickly and properly executed, the legal proceedings could be disrupted, delayed or even dismissed. To insure that all parties are properly served, you are charged with the responsibility of using all resources to obtain a correct and complete address as well as requesting proper service of all related parties in a timely fashion.

Some suggested resources to determine the mailing address of a party include but are not limited to:

Contact with known associates, relatives and friends, neighbors and employers as well as Family Records. Internet Locator Services, Professional Investigators, Public Court Records including Domestic Relations Court, Small Claims, Municipal and Civil Litigation Records, Criminal Records, Bureau of Prisons, Probate Court Records, Public Library Archives, Telephone and Criss Cross Directories, U. S. Postal Service, Federal Court Records, Bankruptcy Records.

The following are guidelines for determining the most appropriate method of service. You may want to consult <u>Civil Rule 4</u> and your attorney is an appropriate resource concerning this topic.

Regular Mail: Requires a complete and accurate address but does not provide any assurance or proof of delivery unless it

is returned by the U.S. Postal Service as "Undeliverable".

Certified Mail: Requires a complete and accurate address and the hearing is not set for at least 28 days to allow ample

response time for the return verification. If the certified mail is returned as <u>refused</u> or <u>unclaimed</u> and you did not sign a Waiver of Service, you must request in writing that Ordinary Mail be sent to the same

address or provide additional information in writing so service can be resent.

<u>Personal Service</u>: Is one of the quickest ways to obtain service for a hearing as long as you are sure of the residential address

or employment address. It is helpful to indicate the times the party is most likely to be present during the daytime hours at the indicated address. Personal Service requires the Sheriff or other approved Process Server to serve the Summons and a copy of the Complaint or Petition only to the named individual (s).

Residential Service: Is also one of the quickest ways to obtain service for a hearing as long as you have a correct and complete

address. The Sheriff or an approved Process Server is required to serve the Summons and a copy of the

Complaint or Petition to any household member of suitable age.

Publication: Is only appropriate when all other resources are exhausted to identify a correct and deliverable address or

all diligent attempts for service have failed. This process requires additional cost and completion of

Form 15, in addition to the Service Request, Form 1397.

Please note that actual notice of a hearing is not a substitute for legal Service of Process. You as a party cannot Serve Process, however it may be effective to give actual notice of the hearing by telling the person or party of the hearing date, time and place of the hearing. You might give them a copy of the Summons along with a copy of the Complaint or Petition.

OTHER RESOURCES

A copy of a Birth Certificate for each child will be required for filing parenting actions. If the petitioner does not have a copy of a birth certificate, they must obtain one by first determining when and where the child was born. Each State and County will have an agency such as Vital Statistics or a Health Department. Local agencies for this court will include:

(Births within the City of Cincinnati)

Cincinnati Health Department Office of Vital Records 1525 Elm Street Cincinnati, Ohio 45210

513-352-3120

(Births in Hamilton County-Not Cincinnati) Hamilton County General Health District 250 William Howard Taft Road

Cincinnati, Ohio 45219 513-946-7804

(State of Ohio Births)

The Ohio Department of Health P. O. Box 118

P. O. Box 118

Columbus, Ohio 43216-0118

614-466-2531

This sheet is informative only and should be removed prior to your filing.

Hamilton County Juvenile Court

800 Broadway Street -Cincinnati, Ohio 45202 (513-946-9200)

In consideration of Local Rules adopted by the Hamilton County Juvenile Court and with the intention of providing the best management of staff functions and Court proceedings, this checklist of documents must accompany the filing of a Petition or Motion concerning Custody, Parenting Time (Visitation), and or Allocation of Parental Rights and Responsibilities. If for any reason a required document can not be provided, a complete explanation must be included and approval may be required before the clerk can accept the filing.

	A thoroughly and accurately completed Petition or Motion is attached regarding Custody, Parenting Time
	(Visitation) or Allocation of Parental Rights and Responsibilities and is notarized . A copy of the birth certificate for the child or each child is attached. Comments:
	The Child Custody Affidavit, pursuant to ORC 3127.23 is attached and has been thoroughly completed with accurate information and notarized .
	The Hamilton County Juvenile Court Information Form (536) has been thoroughly and accurately completed and is attached. Comments:
	Paternity has not yet been determined or established.
	Paternity has been established and is supported by a copy of:
	A paternity determination record from the Central Paternity Registry.
	An administrative paternity determination.
	A paternity determination issued by a court.
	Other:
	Other: No other Court has issued prior orders concerning Custody, Parenting Time or Parental Rights.
	A copy of a prior Court order is attached dated from Court. No other Court or Administrative action has issued prior orders concerning Child Support.
	No other Court or Administrative action has issued prior orders concerning Child Support.
	A copy of a prior Court order is attached dated from The H.C.J.C. Authorization has been completed, signed and is attached with a witness signature.
	The Hamilton County Sheriff's authorization is completed and attached.
	The Information Form for HCJFS is thoroughly and accurately completed and is attached.
	The Written Request for Service is attached with accurate name and address information for all parties
	involved in this action and or an affidavit for service by Publication is attached for each party that an
	accurate address could not be identified by diligent and reasonable effort and research.
	The Request and Instructions for Ordinary Mail Service is completed and attached.
	The Request and Instructions for Ordinary Mail Service is not attached because
Other	Comments:
	Signed:
	Date:

HAMILTON COUNTY JUVENILE COURT

IN RE	J:		CASE NUMBE	R
			PETITION FO -NON PA O.R.C. 2151	RENT-
	(Minor Child or Children)			
The u	ndersigned petitioner(s),		, hereii	i being duly sworn states:
1.	The name(s) and birth date(s) of the c	hild or children is/are:		
	Name:	Birth Date:	Sex:	_
	Name:	Birth Date:	Sex:	_
	Name:	Birth Date:	Sex:	
	Name:	Birth Date:	Sex:	_
	Name:	Birth Date:	Sex:	_
2.	The Petitioner's relationship to the ab	ove child or children is:		
3,	The child or children currently live at			and
	is/are cared for by		Phone: ()
4.	The natural or biological mother is			_, and her current mailing
	address is		Phone	e: (<u> </u>
5.	The natural or biological father is		·	_, and his current mailing
	address is		Phone	e: (
6.	The biological mother has:	Abandoned the child or Contractually relinquis A total inability to prov Been unfit or unsuited to Other Circumstances.	hed custody.	fren.
Based	on the following facts:			
				

	The biological father has:	Abandoned the	child or children.		
		Contractually r	elinquished custody.		
		•	to provide care and s	• •	
			nsuited to parent the o	child or children	•
		Other Circums	tances.		
ised	on the following facts:	·			
			······································		
			e 1.		
	Is the natural or biological mother of the	e child or children	aware of and in agre	ement with this	petition?
	Is the natural or biological father of the	child or children	aware of and in agree	ment with this p	etition?
	It would be in the best interest of the chi	ild or child r en for	the petitioner(s) to ha	ive custody for t	he following reasons:
			p		
			-		
			, -		
	Therefore, the petitioner(s) invo	to method in micellation of the	his Count to some thing the aut		
	Custody of said minor child or				
	(Petitioner Signature)		(Address)		
	(Petitioner Signature)		(City)	(State)	(Zip Code)
	(retitioner Signature)		•		·
			Telephone Number (
	Summer to and almost in many amounts this			20	
	Sworn to and signed in my presence this	day or		20	
	Notary Public				

HAMILTON COUNTY JUVENILE COURT AFFIDAVIT IN COMPLIANCE WITH § 3127.23 OHIO REVISED CODE

IN RE:			CASE NUMBER:	and the second s
				
				
	eing duly sworn, the undersigning following:	ng petitioner(s),		
1.	The child or children currently	reside with		, at the address
	of		Phone: ()
	(Complete Address)		Thome.	
2.	The child or children have lived Name of Person lived with	d with the following persons at the r <u>Complete Address and Zip Code</u>		ng the past five years: <u>Dates: From - To</u>
			-	
	 			
3.	List the <u>current</u> address of each	a person listed above.		
			· · · · · · · · · · · · · · · · · · ·	
				
4.		ot, have, have not) participated ody of this child or children either i		
5.		no, have, have no) information on n this or any other state. Explanation		proceedings concerning this
		44,-100,-100		

		ect of any divorce proceedings involving the where, when and the ruling concerning custody
The biological parents are:	Currently Married Divorced	Separated but Legally Married Never Married
		olic Social Services or the Department of Jobs an of these child or these children. Please explain
Family Services, (is, is not) cutfirmative answer: The petitioner(s) (has a, has n	o, have a, have no) history of	of these child or these children. Please explain charges, conviction, adjudication, guilty plea or involved an act that resulted in a child being
Family Services, (is, is not) conffirmative answer: The petitioner(s) (has a, has not been determined to be the perpet abandoned, abused or neglected. The petitioner(s) (has has not	o, have a, have no) history of rator of any criminal offense that Please provide details of affirmat have have not) included a sentioner(s), child or children being j	charges, conviction, adjudication, guilty plea or involved an act that resulted in a child being

Child Custody Affidavit - Page 2 of 2

HAMILTON COUNTY JUVENILE COURT

PERSONAL IDENTIFICATION FORM

1.	Name and Date of Birth of child or child	lron:		CASE NUMBER	:		-
••	Name:		DOB:	Sex:	Soc.	Sec.:	
	Name:						
	Name:						
	Name:						
2.	Biological Father's Name:						
	Complete Address:						
	Social Security Number:						
	Employer & Address:		- 18 - 18 - 18 - 18 - 18 - 18 - 18 - 18				
3.	Biological Mother's Name:						
	Complete Address:						
	Social Security Number:	No.		Phone Number: ()	
	Employer & Address:						
₹.	Petitioner (s) Name:						
	Complete Address:					_ Zip C	ode:
	Social Security Number:			Phone Number: ()	
	Employer & Address:						
5.	Relationship to the child or children:						
5.	Current Address of child or children:					_Zip Co	de <u>:</u>
7.	Name of person (s) currently providing	care and supe	ervision:				
З.	Phone Number: () Was Child Custody Affidavit, mandated	1 by § 3127.23	O.R.C., filed?	(Form 551 Includea	with pa	icket)	Yes No
). 10.	Has an <u>Affidavit for Publication</u> been fill Has the Father of the child or children b			,	Yes Yes	No No	
! 1.	Does any other person (s), excluding the concerning this child or these children?		•	Court Ordered Cu clease list: Name:	•		4.
	Complete Address:	-1		-		Zip C	ode:
	Social Security Number:			Phone Number: ()	
	Relationship to the child or children:						
12.	Are any Social Service Agencies current	ly involved w	ith this child or	these children?	Yes	No	If so list Agency:
	Name:		Casev	vorker:			
13.	Attorney's Name:		_Address:				
	City:		_ State:		Phone:	()

HAMILTON COUNTY JUVENILE COURT

HAMILTON COUNTY, OHIO

REQUEST AND INSTRUCTIONS FOR ORDINARY MAIL SERVICE

INSTRUCTIONS TO CLERK

IN RE:	CASE NUMBER:
AUTHORITIES WITH AN EN CERTIFICATE OF MAILING O BEFORE ANY SCHEDULED FAILURE OF SERVICE BY T	BY CERTIFIED MAIL IS RETURNED BY THE POSTAL DORSMENT OF "REFUSED" OR "UNCLAIMED", AND IF THE CAN BE DEEMED COMPLETE, NOT LESS THAN FIVE (5) DAYS HEARING, THE UNDERSIGNED WAIVES NOTICE OF THE THE CLERK AND REQUESTS ORDINARY MAIL SERVICE IN ULE 4.6 (C) OR (D) AND CIVIL RULE 4.6 (E). Date:
	Petitioner (s) Name (s) or Attorney (Type or Print)
	X Signature (s)

HAMILTON COUNTY JUVENILE COURT SERVICE REQUEST

		<u>CQUEST FOR SERVICE</u> (Civil) relinquent/Criminal)
		CASE NUMBER:
Case Type:		Reason for Hearing:
Charges:		
A hearing is scheduled or	n theday of _	
Judge / Magistrate:		Case Manager:
	mmons) (<u>Subpoena</u>) or (<u>N</u>	otice) (List one of these selections for each address listed below.)
Type of Service: (Res	tarties) (Wimesses) (Attor gular Mail) (Certified Ma (Usual Service) sidential Service) or (Pub	•
Type of Form	Type of Service	Name and Complete Address and Zip Code
1		
2		
·		
3		
1		
*-		
Requested by:		Phone: ()
Address:		City State Zin

Form 1397 Revised 12/2006

<u>To the Petitioner (s)</u>: The Hamilton County Juvenile Court will request the Hamilton County Department of Jobs and Family Services, (Formerly known as Hamilton County Department of Human Services), to provide case activity information concerning you, the child or children as well as any other person living in your household. The following information is <u>required</u> and <u>necessary</u> to process your <u>Custody / Visitation</u> petition. Include any maiden names or alias names used by any household members.

Court Date:		Magistrate		Case Number	•
In Re:					
				SSN:	
Addrage:				SSI	
State	 	7: DI	ona Numbar (a).		
State		ZipP1	ione Number (8):	<u>(</u>	
Petitioner (s) #2 N	Kame.		DOR:	SSN.	
Addrose:	· · · · · · · · · · · · · · · · · · ·			City	
State		Zio Pl	ione Number (s):	()	
Marc	· · · · · · · · · · · · · · · · · · ·		ione rumber (s).	1	
Biological Mother	r's Name:		Biological F	ather's Name	
DOB:	SSN:		DOB:	SSN:	
Children currentl	ly in your home or	subject to your curr	ent filing.		
Child's Name:		DOB:	Rela	itionship	
Child's Name:		DOB:	Rela	rtionship	
Cinu s Name.			IXUIA	monsmp	
Adults Currently	Living in Your Ho	ousehold (include ma	iiden name or alia	is name if applical	ole):
Name:			DOB	SSN	
Name:					
Name:			DOB	SSN	
Name			DOR	SSN_	
					,
	Only by HCDJFS		• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	
(For Official Osc	Omy by HCD313,	,			
No Record for	any of the indicate	ed parties has been ic	lentified.		
		Petitioner (s)		Other	
A case is curre.	ntiy open on.	retationer (s)	Ciniti	Other	
The area is assign			Dho	na Numbari ()
The case is assign			Pho	ne Number: ()
The supervisor is	•		1 110	ne Number.	· · · · · · · · · · · · · · · · · · ·
. •	5.1 A1C	D = 4 '4 ! = == = (=)	Child	O41	
A prior case is	identified on:	Petitioner (s)	Child	Other	
AMENTEN	CLOSED	DESCRICTOR	ED/CHI D	PROCEETON'	ON COINC CERVICES
OPENED	CLOSED	PETITION	ER/CHILD DIS	SPOSITION	ON-GOING SERVICES
			-		
				,	
Custody Investi	igation Recommen	ided. Comment	s:		
	- S		~*		

Hamilton County Juvenile Court 800 Broadway Cincinnati, Ohio 45202 513-946-9200

AUTHORITY TO RELEASE INFORMATION

I, the undersigned, hereby authorize the <u>Hamilton County Juvenile Court</u> to obtain any and all record information or files pertaining to my / our arrest and or conviction on any charge.

t, the undersigned, further authorize the <u>Hamilton County Juvenile Court</u> to obtain any and all record information or files pertaining to child abuse, abandonment or neglect investigations, including records of services provided by the <u>Hamilton County Department Of Jobs and Family Services</u>. (Formerly known as Hamilton County Department of Human Services).

I further authorize and request the custodian of any records and information described above to release such records and information at the request of the <u>Hamilton County Juvenile Court</u> or it's authorized representative or designee upon presentation of this release or a photo copy thereof.

This release is executed with the full knowledge and understanding that the information is for the official use of the <u>Hamilton County Juvenile Court</u> in the determination of a <u>Custody</u> and or <u>Visitation</u> petition as well as other associated Court matters.

Should there be any question regarding the validity of this release, please contact me / us as directed below.

Last Name:		First Name:		MI:
Date of Birth:	1 1	Social Security Number:		·
Address:		City	State	Zip
Home Phone: ()	Daytime	Phone: ()	· · · · · · · · · · · · · · · · · · ·
X		Signature		
Witnessed by:				

Form #1270 - Revised 8/2006

Hamilton County Sheriff Office Personal Information Release Form

Print Clearly	which it is requested and agree that this retained, not released outside my agenc
Name: Address:	Type of Record Check:
e. No.	Traffic:
Sex: MFRace:	Criminal and Traffie:
I. the undersigned authorize the Hamilton County Sheriff Office to release information regarding any Traffic or Cirninal convictions that I have on file 15 is necessary to verify this Anthorization. I can be reached at telephone number. This Authorization is void if not everelised by the person or organization named on the reverse side of this form within (1) year from the date signed. Thereby agree to indemnify the County of Hamilton and the Hamilton County Sheriff and his representatives for any fiability arising out of the improper use of the information provided.	Information Requested by: Company Name / Agency: Date: Address: Phone No:
Signature:Pute:	Operator.
Hamilton County Sheriff Office	C. the undersigned, certify that the info
Fersonal Information Actease Form Print Clearly	which it is requested and agree that this retained, not released outside my agent
Name: Address: Date of Birth:	Type of Record Check: Criminal: Traffic: Criminal and Traffor
Soc. Sec. No. Sex: M F Race:	Information Bannactard by:
I, the undersigned authorize the Hamilton County Sheriff Office to release information regarding any Traffic or Criminal convictions that I have on file. If it is necessary to verify this Authorization. I can be reached at telephone number. This Authorization is void if not exercised by the person or organization named on the reverse side of this form within (1) year from the date signed. Thereby agree to indemnify the County of Hamilton and he Hamilton County Sheriff and his representatives for any liability arising out of the improper use of the information provided.	Company Name / Agency. Date: Address: Phone No: FOR SHI
Signature:	Operator:Record:
Form ID Hos 2-90	

Certification of Purpose

I, the undersigned, certify that the information applied for will be used only for the purpose for which it is requested and agree that this information will immediately be destroyed after use or if retained, not released outside my agency.

Information Requested by: Company Name / Ageney:	
Date:	Contact Person:
Address:	
Phone No:	
	FOR SHERIFF OFFICE USE ONLY:
Operator;	Date:
Record:	No Record:

ertification of Purpose

I, the undersigned, certify that the information applied for will be used only for the purpose for which it is requested and agree that this information will immediately be destroyed after use or if ctained, not released outside my agency.

riminal: raffic: riminal and Traffic: formation Requested by: ompany Name / Agency: ddress: ddress:

OR SHERIFF OFFICE USE ONLY:

)ate:	to Record:	
perator:	ırd:	